

**MINUTES OF THE
HANOVER BOROUGH COUNCIL WORKSHOP/
FINANCE & PERSONNEL COMMITTEE MEETING
February 17, 2021**

Chairperson Dr. Rupp called the Hanover Borough Council Workshop & Finance & Personnel Committee meeting to order Wednesday Evening, February 17, 2021 at 7:00 PM, as advertised, in the Hanover Borough Municipal Building, 44 Frederick Street, Hanover, PA, as advertised. Community Media was present to conduct a video and audio of the meeting via zoom presentation for all citizens to have access.

Public Comment: The following citizens were present virtually to comment:

- Laura Silver, 414 Dart Drive: Ms. Silver stated her concern about the proposed zoning ordinance that adds senior housing.
- Ken Kuhn, 370 Wilson Avenue: Mr. Kuhn stated his concern about the proposed zoning ordinance that adds senior housing. He asked for "senior housing" to be removed from the Planned Development District in the proposed ordinance.
- Laura Silver, 414 Dart Drive: Ms. Silver asked when the draft zoning ordinance discussion would be completed? Chairman/Dr. Rupp explained the item is on this evening's agenda.
- Tom Whitaker, Shentel Communications: Present from Shentel regarding the proposed cable franchise agreement.
- Prudence Keffer, 439 Deerfield Drive: Stated the new car wash on Eisenhower Drive is very noisy. Does not agree with proposed senior housing amendment.
- Joel Peterman, 189 Primrose Lane: Agrees with all previous comments. Too much traffic in the area already. Not enough parking for proposed senior housing.

Attendance: On roll call, the following answered as present: Mr. Chesney, Mrs. Funk, Mr. Hegberg, Mr. Hoover (*virtual*), Mr. Kress, Mr. Lockard, Ms. Pranses (*virtual*), Mr. Reichart (*via phone*), Mr. Roland and Dr. Rupp; Solicitor Shultis, and Mayor Whitman (*virtual*); and Staff Members Manager Dunford, Secretary Felix, Planning & Engineering Director Mains, Finance Director Miller (*virtual*), and Solicitor Shultis.

CONSENT AGENDA

It was moved by Mr. Chesney, seconded by Mrs. Funk to approve the following items on the Consent Agenda:

- a. Minutes: Approval of Minutes January 20, 2021

- b. Finance Reports:
 - i. Approve Bills for Payment
 - ii. Accept Monthly Financial Statement
 - iii. Accept Report of Monthly Investments
- c. Special Event Permit Applications
 - i. Memorial Day Parade – Approve revision of date from 5/24/21 to 5/31/21.
 - ii. YWCA Walk a Mile in Her Shoes – Approve event on 8/13/21.
 - iii. Chili Cookoff – Approve event on 9/5/21 at Good Field.
- d. Resolution for Disposition of Police Records – Approve in accordance with the municipal records manual – PA Historic & Museum Commission/Department of Archives
- e. Keystone Grant Extension Letter – Downtown Wayfinding Project: Approve extension until June 2022
- f. Joint Municipal Bid Results: Award contracts for the following materials:
 - i. Pre-Mixed Bituminous Paving Materials
 - ii. Crushed Stone
 - iii. Petroleum Products
 - iv. Snow & Ice Rock Salt & Calcium Chloride
 - v. Chemical Products
 - vi. Traffic Line Painting
 - vii. Water Borne Traffic Paint
- g. Cherry Tree Phase 4.2: Approve release of water system bond (No. 1000978067) in the amount of \$286,645.87 subject to satisfaction of Borough Engineer
- h. Cherry Tree Phase 4.3: Approve reduction of public improvements bond (No. PR2718247)-~~in~~ to the amount of \$196,352.20 subject to satisfaction of Borough Engineer
- i. Disabled Veteran Real Property Tax Exemption – Approve for Hai T. Worrall, 635 Northland Drive
- j. Library Board of Governors: Appoint Eric Klansek to a term ending December 31, 2021 as recommended by the Hanover Public Library Association to complete the unexpired term

Mr. Mains clarified the wording of consent agenda item 2h regarding reduction of public improvements bond should state “to the amount” instead of “in the amount.” The change was duly noted. Motion carried.

PRESENTATION

Water Rate Case Overview

Mr. Mike Mehaffey was present virtually with Ms. Connie Heppenstall - Senior Project Manager from Gannett Fleming to summarize the process and schedule for a proposed Water

Rate Case Overview for the Pennsylvania Public Utility Commission (PUC). She has worked on three (3) rate case studies for the Borough, and noted the last rate case was in 2014.

Mr. Roland clarified the PUC has jurisdiction over those municipalities on the water system located outside the Borough, but not inside the Borough.

Mrs. Heppenstall summarized the settlement summary for the 2014 Rate Case.

The purpose of the proposed water rate increase is to accommodate costs for infrastructure improvements, including the dam rehabilitation project. A cost of service study is required by the PUC to justify the rates for both inside and outside the Borough. The costs for the study itself are worked into the rate case to recoup the cost. The earliest date to file with the PUC would be May 2021. The rate needs to be filed within 180 days after the end of the fiscal year (12/31/20) which would be June 29, 2021, although it is possible to request an extension typically no more than 3 months.

Ms. Heppenstall asked for questions.

Mr. Hegberg discussed legal fees and total fees of the last rate case. He asked if green infrastructure improvements are eligible to be included in the rate increase. Mr. Mehaffey will check into this concept, and the Committee supported the idea.

Chairman Rupp thanked Ms. Heppenstall for her informational presentation.

FINANCE, PERSONNEL AND ADMINISTRATION

Legal Services - Water Rate Case: It was moved by Mr. Hegberg, seconded by Mr. Chesney to move the approval to the Council agenda for a Letter of Engagement with Thomas, Nieson and Thomas, LLC for legal representation services for the forthcoming PUC rate case. On roll call, the following voted in favor of the motion: Mr. Chesney, Mrs. Funk, Mr. Hegberg, Mr. Hoover, Mr. Kress, Mr. Lockard, Ms. Pranses, Mr. Reichart, Mr. Roland and Dr. Rupp. Motion carried.

PNC Parking Lot, 33 Carlisle Street: It was moved by Mr. Roland, seconded by Mrs. Funk to move the approval to the Council agenda for the execution of a parking license agreement with PNC Bank for the public use of the parking lot at 33 Carlisle Street, subject to approval by the Solicitor and legal counsel for PNC of revised language regarding liability and indemnification. On roll call, the following voted in favor of the motion: Mr. Chesney, Mrs. Funk, Mr. Hegberg, Mr. Hoover, Mr. Kress, Mr. Lockard, Ms. Pranses, Mr. Reichart, Mr. Roland and Dr. Rupp. Motion carried.

Cable Franchise Ordinance: The Committee commented in general that they liked the idea of a new cable franchise to be available to the citizens of the area. It was moved by Mr. Chesney, seconded by Mrs. Funk to move the approval to the Council agenda for

advertisement of an ordinance to allow the execution of an agreement with Shentel for a Cable Franchise Agreement. On roll call, the following voted in favor of the motion: Mr. Chesney, Mrs. Funk, Mr. Hegberg, Mr. Hoover, Mr. Kress, Mr. Lockard, Ms. Pranses, Mr. Reichart, Mr. Roland and Dr. Rupp. Motion carried.

Human Resources: Chairman Rupp asked if there were any questions regarding the establishment of a new position of Administrative Assistant in the Department of Planning and Engineering. Mr. Roland asked if another employee could absorb these duties without establishing a new position. Mr. Mains responded that this position is actually to fill the position vacated by Ms. Morningstar, and that a dedicated staff member is needed to provide administrative support to the department. It was moved by Mr. Roland, seconded by Mr. Chesney to move the approval to the Council agenda for the establishment and fulfillment of the position of Administrative Assistant for the Department of Planning Engineering. On roll call, the following voted in favor of the motion: Mr. Chesney, Mrs. Funk, Mr. Hegberg, Mr. Hoover, Mr. Kress, Mr. Lockard, Ms. Pranses, Mr. Reichart, Mr. Roland and Dr. Rupp. Motion carried.

Mrs. Funk asked about the reimbursement from Ms. Morningstar to the Borough for her college tuition that is owed to the Borough, in reference to the signed agreement. Finance Director Miller noted this item will be on the March agenda for consideration.

PLANNING AND ENGINEERING DEPARTMENT

Zoning Ordinance Revision: The Committee acknowledged and thanked the Planning Commission for their recommendation of approval of the proposed ordinance, at their Public Hearing held February 9, 2021, with the exclusion of senior housing from the proposed ordinance. It was moved by Mr. Chesney, seconded by Mr. Roland to recommend the approval to the Council agenda for the proposed new zoning ordinance with exclusion of senior housing language from the ordinance and specifically within the Planned Unit Development District. On roll call, the following voted in favor of the motion: Mr. Chesney, Mrs. Funk, Mr. Hegberg, Mr. Hoover, Mr. Kress, Mr. Lockard, Mr. Reichart, Mr. Roland and Dr. Rupp. Ms. Pranses voted against the motion. Motion carried.

Ms. Pranses clarified that her vote against the recommendation of *excluding* senior housing in the proposed zoning ordinance did not necessarily indicate her approval of *including* senior housing in the proposed zoning ordinance.

Solicitor Shultis noted the proposed new zoning ordinance will need to be revised to exclude the senior housing language for the Council agenda next week. After Council's approval, it will then be forwarded to the County Planning Commission. Mr. Shultis noted a public hearing of Hanover Borough Council must be held no earlier than 45 days from receipt by the York County Planning Commission. Because the meeting of the Planning Commission will not occur until April 20th, Council approval is not likely to be until the May 26th Council meeting, which is a significant delay. Mr. Shultis pointed out that rather than waiting until

May 26th, Council has the option of scheduling a special meeting to consider the approval of the ordinance after the County Planning Commission meets on April 20th. The Committee was in favor of same, so as not to further delay the approval.

Senior Housing Amendment to Current Zoning Ordinance: It was moved by Mr. Chesney, seconded by Mr. Hoover to advertise an amendment to the current zoning ordinance to include senior housing in the Limited Manufacturing District of the current zoning ordinance. On roll call, the following voted against the motion: Mr. Chesney, Mrs. Funk, Mr. Hegberg, Mr. Hoover, Mr. Kress, Mr. Lockard, Ms. Pranses, Mr. Reichart, and Dr. Rupp. The motion was defeated with nine voting in favor of and one absentee.

Chairperson Rupp thanked all of the citizens for their valuable input and concerns on the zoning issues. Mr. Chesney encouraged all citizens to remain informed and involved.

Sheppard - Myers Dam Project, Resolution of Potential Historical Resource Conflicts with the US Army Corps of Engineers and PA Historic and Museum Commission: Mr. Mains noted the Borough is mandated by DEP to complete this study in order to move ahead with the dam rehabilitation project. DEP is ready to issue the permit, and this should be the last hurdle. It was moved by Mrs. Funk, seconded by Mr. Chesney to move the approval of the contract for a cultural resources study with Gannett Fleming for the Sheppard Myers Dam Project, in the amount not to exceed \$19,600 to the Council agenda. On roll call, the following voted in favor of the motion: Mr. Chesney, Mrs. Funk, Mr. Hegberg, Mr. Hoover, Mr. Kress, Mr. Lockard, Ms. Pranses, Mr. Reichart, Mr. Roland and Dr. Rupp. Motion carried.

PUBLIC WORKS DEPARTMENT / ECONOMIC DEVELOPMENT

York County Trail Towns: Mr. Chesney presented a draft resolution from the York County Economic Alliance for support of the Trail Towns program, which works to improve trail connection points and promote visitation. There is no cost to the Borough for participation in this program. It was moved by Mr. Chesney, seconded by Ms. Pranses to move approval of the resolution in support of the Trail Towns Program to the Council agenda. On roll call, the following voted in favor of the motion: Mr. Chesney, Mrs. Funk, Mr. Hegberg, Mr. Hoover, Mr. Kress, Mr. Lockard, Ms. Pranses, Mr. Reichart, Mr. Roland and Dr. Rupp. Motion carried.

REPORTS OF COUNCIL MEMBERS, COMMITTEES & OTHER PUBLIC BODIES

Economic Development Committee – Chairman Hoover reported that applications are now being received for candidates for the Hanover Economic Development Corporation (HEDC) Board of Directors, and they will be addressed at their next meeting on Wednesday, March 10th at 7PM. Mr. Hoover summarized the list of those contacted and those received to date.

Chesapeake Bay Grant – Green Infrastructure – Mr. Hegberg noted the Borough expressed interest in a green infrastructure grant with the National Fish and Wildlife Foundation, and

was notified that we are now shortlisted for a grant opportunity, but need to submit a letter of commitment. The letter of commitment will be due in early March; then the Borough will be receiving the information to move forward. Mr. Mains noted it would be appropriate to move this grant through the Stormwater Authority. Mr. Reichart stated if a meeting needs to be scheduled before March 12th it can be accommodated.

Growing Greener Grant - Good Field - Mr. Mains reported the Borough was just awarded a grant in the amount of \$100,000 for Good Field Improvements.

New Website: Chairman Rupp encouraged all to check out the new website, and commented it is very user-friendly and informative.

Legal Counsel Costs: Manager Dunford reported she is gathering pricing information and overall costs from the various legal counsel entities that the Borough utilizes. She has found effective labor counsel through Salzmann Hughes which is approximately 2/3 the current cost, and she will continue to explore pricing options for comparison. Council commended her on this effort.

Mr. Chesney commended the Fire Department on their dedication and recent efforts with the fire on York Street and the fire at the Wire Cloth Factory.

PUBLIC COMMENT

- Mr. Ken Kuhn, 370 Wilson Avenue - Thanked Borough Council and all involved on their decision this evening regarding the zoning issues.
- Prudence Keffer, 439 Deerfield Drive - Thanked Borough Council and asked about damages to trees that were downed last week on Wilson Avenue.

Mr. Mains replied that the Borough can require the site to be re-stabilized, although there is no tree protection ordinance in place. Re-stabilization will be monitored and addressed.

- Laura Silver, 414 Dart Drive - Thanked Borough Council for their response to the zoning matters.
- Greg Hubbard, 401 Chapelwood Drive - Thanked Borough Council for listening to all sides.
- Joel Peterman, 189 Primrose Lane - Thanked Council for listening to the citizens.

Chairman Rupp thanked all who were in attendance this evening.

8:23 PM: It was moved by Mr. Roland, seconded by Mrs. Funk to temporarily adjourn to an executive session under sections 708a (3) and (4) of the Sunshine Act. Motion carried.

9:55 PM: The meeting reconvened.

It was moved by Mr. Hegberg, seconded by Mr. Chesney to approve a motion for the recommendation to authorize the staff signature to a conceptual strategy for the State Theater Parking Garage project, acknowledging only that the Borough accepts their potential role in the process; said motion to be placed on the February 24, 2021 Council agenda. On roll call, the following voted in favor of the motion: Mr. Chesney, Mrs. Funk, Mr. Hegberg, Mr. Hoover, Mr. Kress, Mr. Lockard, Ms. Pranses, Mr. Reichart and Dr. Rupp. The motion passed with 9 voting in favor of and one absentee. Motion carried.

It was moved by Chesney, seconded by Mr. Hegberg to adjourn the meeting at 9:56 PM. Motion passed 9-0, with one absent.

Respectfully submitted,


Dorothy C. Felix
Borough Secretary